

Panaji, 28th February, 1980 (Phalguna 9, 1901)

SERIES I No. 48

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Notification

12/28/77-PER(Vol. I)

In exercise of the powers conferred by sub-section (3) of Section 46 of the Government of Union Territories Act, 1963 (20 of 1963) the Administrator of Goa, Daman and Diu is pleased to make the following Rules amending the Authentication (Orders and Other Instruments) (Goa, Daman and Diu) Rules, 1963, issued under Notification No. 2/ADM/63 dated 20-12-1963 namely:—

i) These Rules may be called the Authentication (Orders and Other Instruments) (Goa, Daman and Diu) (First Amendment) Rules, 1980.

ii) After the existing provision in para 2 of 1963 Rules add the following post;

“Planning Officer”

By order and in the name of the Administrator of Goa, Daman and Diu.

V. J. Menezes, Under Secretary (Personnel).

Panaji, 21st February, 1980.

Local Administration and Welfare Department

ORDER

3-7/68-69/FCS/LAWD/79

In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the Order of the Government of India in the Ministry of Agriculture (Department of Food) G.S.R. No. 316(E) dated 20th June, 1972 and with the prior approval of the Central Government the Lieutenant Governor of Goa, Daman and Diu hereby makes the following Order, namely:—

1. *Short title, extent and commencement:*—a) This order may be called the Goa, Daman and Diu Foodstuffs Dealers Licensing Order, 1979;

b) It extends to the whole of the Union Territory of Goa, Daman and Diu;

c) It shall come into force on the date of its publication in the Official Gazette.

2. *Definition:*— In this order, unless the context otherwise requires;

a) ‘Bulk Consumer’ means a hotel, restaurant, hostel, hospital or halwai;

b) ‘Category ‘C’ City’ means a City having a population of less than 3 lakhs which is not a Category A City or Category B City;

c) ‘Commission Agent’ means a commission agent having in the customary course of business as such agent authority either to sell goods, or to consign goods for the purpose of sale or to buy goods;

d) ‘Dealer’ means a person engaged in the business of purchase, sale or storage for sale of any foodstuff specified in the Schedule I annexed to this Order, whether or not in conjunction with any other business and includes his representative or agent;

e) ‘Edible Oils’ means any oil used for cooking for human consumption and includes hydrogenated vegetable oils;

f) ‘Foodstuffs’ means any one or more of the articles specified in Schedule I of this Order;

g) ‘Form’ means a form appended to this Order;

h) ‘Foodgrains’ means any one or more of the foodgrains specified under sr. no. 1 to 19 of the Schedule I appended to this Order including products of such foodgrains other than husk and bran but does not include pulses;

i) ‘Government’ means the Government of Goa, Daman and Diu;

j) ‘Licensing Authority’ means the Director of Civil Supplies and Price Control for the District of Goa, the Collector of Daman for District of Daman and Civil Administrator of Diu for the District of Diu or any other officer appointed by the Government to exercise the powers and perform the duties of the Licensing Authority under this Order;

k) ‘Order’ means any order issued by Government under the provisions of the Essential Commodities Act, 1955 (Central Act 10 of 1955);

l) ‘Population’ means population as ascertained at the 1971 Census;

m) 'Primary Mandi' in relation to foodstuffs including pulses and edible oilseeds means a mandi where the farmers initially sell their produces;

n) 'Producer' means a person carrying on the business of milling any of the pulses or expelling, extracting or manufacturing edible oils;

o) 'Pulses' means urd, moong arhar, massor, lobia, rajmaha, gram including peas or any other dal whether whole or split with or without husk;

p) 'Retailer' means a dealer who sells in retail only to the consumer;

q) 'Sugar' means any form of sugar including khandasari sugar containing more than 90% of sucrose;

r) 'Wholesaler' means a dealer in foodstuffs who sells such commodities to other dealers or to bulk consumers.

3. *Licensing of dealers:*— a) No person shall carry on business as a dealer except under and in accordance with the terms and conditions of a licence issued in this behalf by the Licensing Authority:—

b) A separate licence shall be necessary for each place of business;

c) For the purpose of this clause, any person who has in his possession stocks of the following foodstuffs in excess of the quantities specified below, at any time, shall, unless the contrary is proved, be deemed to have stored them for the purpose of sale.

Foodstuffs	Stocks limits
i) Sugar	25 quintals
ii) Pulses	10 quintals for all pulses taken together
iii) Edible oils including hydrogenated vegetables	5 quintals for all edible oils including hydrogenated vegetable oils taken together

iv) Edible oilseeds including groundnut in shell 30 quintals of all edible oilseeds

v) Any other foodgrains excluding pulses 5 quintals

PROVIDED THAT nothing in this clause shall apply to the person who is dealing in quantities of foodstuffs equal or less than those specified in sub-clause (3) of this clause;

PROVIDED FURTHER THAT the person to whom the provisions of clause 3 do not apply shall intimate the Director of Civil Supplies and Price Control of Government in the prescribed Form 27 appended to this Order, within a week from the date of commencement of dealing in foodstuffs.

4. *Restrictions on possession of foodstuffs.*—No dealer shall, after a period of fifteen days from coming into force of this Order, either by himself or by any person on his behalf, store or have in his possession at any time any pulses, edible oilseeds or edible oils in excess of the quantities specified in Schedule II appended to this Order:

PROVIDED THAT where a dealer is also carrying on business as producer or commission agent, he shall be entitled to retain the stock limits specified in this clause for each such business if such business and accounts thereof are kept separate and distinct from one another:

PROVIDED FURTHER THAT no producer specified in Column (1) of the table below shall store or have in his possession, at any time, unmilled pulses, edible oilseeds or mustard seeds, as the case may be, in excess of the quantity specified in the corresponding entry in column (2) of the said table; and he shall not hold the finished stock in excess of the quantity specified in the corresponding entry in column (3) of the said table:

Producer	Quantity of unmilled pulses	Quantity of finished stock, namely milled pulses oil or mustard oil
1.	2.	3.

	Producer who is carrying on business on the commencement of this order.	Producer who has commenced production after the commencement of this Order.	Producer who is carrying on business on the commencement of this order.	Producer who commenced production after the commencement of this Order.
1. Producer of pulses.	One-twelfth of the maximum qty. of pulses used by him in any of the three years ending on the 31st day of Oct. 1977.	For a period of one year from the date of commencement of his production one twelfth of the quantity of pulses that would be required for producing a qty. equal to his annual installed capacity.	One-twenty-fourth of his maximum production in any of the three years ending on the 31st of October, 1977.	For a period of one year from the date of commencement of his production, one-twenty-fourth of the quantity equal to his annual installed capacity.
2. Producer of edible oils, other than mustard oil.	One-eightieth (1/80) of the maximum quantity of edible oilseeds used by him in any of the three years ending on the 31st day of October, 1977.	For a period of one year from the date of commencement of his production one-eighth of edible oilseeds that would be required for producing the quantity equal to his annual installed capacity.	One-twelfth of his maximum production in any of the three years ending on the 31st day of October, 1977.	For a period of one year from the date of commencement of his production one-twelfth of a quantity equal to his annual installed capacity.

1.	2.	3.
3. Producer of mustard oil.	One-twentieth (1/20) of the maximum quantity of mustard seeds used by him in any of the three years ending on 31st day of October, 1977.	For a period of one year from the date of commencement of his production, one-twelfth of quantity of mustard seeds that would be required for producing the quantity of mustard oil equal to his annual installed capacity.
		One-twenty-fourth of his maximum production in any of the three years ending on the 31st day of October, 1977.
		For a period of one year from the date of commencement of his production, one-twenty-fourth of a quantity equal to his installed capacity.

Provided also that where any quantity of pulses, edible oils or edible oilseeds is in transit, then for the purposes of this clause, such quantity shall not, during the period such quantity is in transit, be deemed to have been included in the stocks of the dealer in whom the property in such quantity is retained during such transit in accordance with the terms of any contract or agreement in pursuance of which the quantity is put in such transit:

Provided also that nothing in this clause shall apply to:—

(a) the storage or possession of edible oilseeds and edible oils imported from abroad;

(b) to a commission agent who does not retain any consignment of pulses or edible oilseeds received by him for a period exceeding fifteen days from the date of its receipt.

5. *Returns.*— Every dealer referred to in clause 3 and every producer who holds stocks of pulses, other foodstuffs and edible oils in excess of the limits specified for a wholesaler in clause 4 shall furnish a fortnightly return in Form 'D' appended to this Order.

6. *Issue of Licence*— (a) Every application for a licence or a renewal thereof shall be made to the Licensing Authority in form 'A'.

(b) The application for renewal of licence shall be made so as to reach the licensing authority not less than 30 days before the date on which the licence expires.

Provided that the Licensing Authority may entertain any application after the expiry of the said period of 30 days if he is satisfied that the applicant was prevented by reasonable cause from filling the application in time.

(c) Every licence issued or renewed under this Order shall be in Form 'B' and shall be subject to the conditions specified therein.

(d) No retail dealers shall sell to any one customer at any one time, more than 16.5 Kgs. of vanaspati.

(e) Every application shall clearly mention the article/articles in which the dealer proposes to deal with.

7. *Period of licence and fees chargeable.*— (1) Every licence granted under this Order shall be valid for a period of three years ending 31st December of the third year from the year which the licence was issued and may be renewed for a equal periods of three years at a time.

Explanation.— The licence issued in any month of a calendar year shall be considered a complete year for the purpose of counting three years under this clause.

(2) The following fees shall be chargeable in respect of each licence, namely:—

(A) For issue of licence

(i) Wholesaler Rs. 15.00

(ii) Retailer Rs. 10.00

(B) For renewal of licence or issue of duplicate licence.

(i) Renewal of wholesaler licence Rs. 8.00

(ii) Renewal of retailer licence Rs. 5.00

(iii) Issue of duplicate licence to wholesaler when original is lost or destroyed due to fault of the licensee Rs. 15.00

(iv) Issue of duplicate licence for retailers when original is lost or destroyed due to fault of the licensee Rs. 10.00

(3) No fees shall be charged for issue of duplicate licence when there is no space for the endorsement in the original licence, on account of endorsement already recorded therein. Such duplicate shall be issued by the licensing authority free of charge.

8. *Deposit for security.*— (1) Every dealer who applies for a licence under this Order, shall before a licence is issued to him, deposit with the Licensing Authority a security of the following value for the due performance of the conditions subject to which the licence is granted to him, namely:

(A) For issue of licence to a wholesaler

(i) For dealing in all the articles in the Schedule I Rs. 1000.00

(ii) For dealing in foodgrains including pulses only Rs. 500.00

(iii) For dealing in edible oils including hydrogenated vegetables oils; Edible Oil seeds including groundnut in shell Rs. 250.00

(iv) For dealing in sugar only Rs. 250.00

A wholesaler who intends to deal in any one of the articles or a combination of the above articles shall deposit a security of the value corresponding to an aggregate amount of the articles mentioned above.

(B) For issue of licence to a retailer

- | | |
|---|------------|
| (i) For dealing in all the articles specified in the Schedule I | Rs. 300.00 |
| (ii) For dealing in foodgrains including pulses only ... | Rs. 100.00 |
| (iii) For dealing in edible oils including hydrogenated vegetable oils | Rs. 100.00 |
| (iv) For dealing in sugar only | Rs. 100.00 |

A retailer who intends to deal in any of the articles or a combination of them, shall deposit a security of the value corresponding to an aggregate amount of the articles mentioned above.

(2) The security deposit may be made either in cash, Bank Guarantee, bonds or certificates endorsed in favour of the Government.

9. *Power to refuse licence.* — The Licensing Authority may, after giving the concerned dealer an opportunity of stating his case and for reasons to be recorded in writing, refuse to grant or renew a licence.

10. *Contravention of conditions of licence.* — (1) No holder of a licence issued under this Order or his agent or servant or any other person acting on his behalf shall contravene any of the terms and conditions of the licence, and, if any, such holder or his agent or servant or any other person acting on his behalf contravenes any of the said terms or conditions, then without prejudice to any other action that may be taken against him, his licence may be cancelled or suspended by order in writing of the Licensing Authority.

Provided that no order shall be made under this clause unless the licensee has been given a reasonable opportunity of stating his case against the proposed cancellation or suspension.

(2) Notwithstanding anything contained in sub-clause (1) of this clause, where a licensee has been convicted by a Court of Law in respect of contravention of any Order made under Section 3 of the Essential Commodities Act, 1955 (Central Act 10 1955) relating to foodstuffs including edible oilseeds and oils, the Licensing Authority may by order in writing cancel his licence:

Provided that where such conviction is set aside in any appeal or revision, the Licensing Authority may on application in Form 'A' by the person whose licence is cancelled, reissue the licence to such person.

11. *Power to issue direction to dealers or any other person acting on his behalf.* — The Licensing Authority or any other officer authorised by him, may from time to time, issue to any dealer or his agent or any other person acting on his behalf such order or direction regarding the purchase, maintenance of stock, storage, sale price disposal, delivery and distribution of foodstuffs as it may deem fit and every dealer or other person to whom any order or direction is issued under any powers conferred by or under this Order shall comply with such order or direction.

12. *Forfeiture of security deposit.* — (1) Without prejudice to the provisions of clause 10,

if the Licensing Authority is satisfied that the licensee has contravened any of the conditions of the licence and that a forfeiture of a security deposit is called for, it may after giving the licensee a reasonable opportunity of stating his case against the forfeiture, by order, forfeit the whole or any part of the security deposited by him and communicate a copy of the order to the licensee.

(2) The licensee shall, if the amount of security at any time falls short of the amount specified in clause 8, forthwith deposit further security to make up that amount on being required by the Licensing Authority to do so.

(3) Upon due compliance, by the licensee with all obligations under the licence, the amount of security or such part thereof, which is not forfeited as aforesaid, shall be returned to the licensee after the termination of the licence.

13. *Appeal.* — (1) Any person aggrieved by any order of the Licensing Authority refusing to grant or renew a licence or cancelling or suspending a licence or forfeiting a security deposited by the licensee under the provisions of this Order, may appeal to the Government within thirty days of the date of the receipt by him of such order.

(2) No order shall be made under this clause unless the aggrieved person has been given a reasonable opportunity of stating his case.

(3) Pending the disposal of an appeal, the Government may direct that the order refusing to renew a licence or the order cancelling or suspending a licence shall not take effect until the appeal is disposed off.

14. *Power of entry, search, seizure etc.* — (1) The Licensing Authority or any other officer authorised by it either by a general or special order in this behalf, may with such assistance, if any, as he thinks fit —

(a) require the owner, occupier or any other person in charge of any place, premises, vehicles or vessels in which he has reason to believe that any contravention of the provisions of this order or of the conditions of any licence issued thereunder has been, is being or is about to be committed, to produce any book accounts or other documents showing transaction relating to such contraventions.

(b) enter, inspect or break open and search any place or premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order or of the conditions of any licence issued thereunder, has been, is being or is about to be committed;

(c) take or cause to be taken extracts from or copies of any documents showing transaction relating to such contraventions which are produced before him;

(d) search, seize and remove stocks of foodstuffs and the animals, vehicles, vessels or other conveyance used in carrying the said foodstuffs in contravention of the provisions of this Order or of the conditions of the licence issued thereunder and thereafter take or authorise the taking of all measures necessary for securing the production of stocks of foodstuffs and the animals, vehicles, vessels or other

conveyances so seized, in a court and for their safe custody pending such production.

(2) The provisions of section 100 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) relating to search and seizure shall so far as may be applied to searches and seizures under this clause.

15. *Power to exempt.*—(1) The Government may, if it considers it necessary for avoiding any hardships or for any other just and sufficient reason, by notification in the Official Gazette, exempt any producer, dealer or commission agent from the operations of all or any of the provisions of this Order, either generally or for any specified period, subject to such conditions as may be specified in the notification.

Provided that no notification under this clause shall be issued except with the previous approval of the Central Government.

(2) Nothing in this order shall apply to:

(a) The sale or storage for sale or purchase of foodstuffs on Government Accounts.

(b) To a Corporation or Company owned or controlled by the Central Government or Government.

(c) To any Central Level or State Level Coop. Society, engaged in the production, procurement, sales, purchase or distribution of pulses, edible oilseeds, edible oils or any other foodstuffs specified in the Schedule I.

(d) The sale by Bank of stocks of foodstuffs hypothecated to them provided that the foodstuffs are sold in accordance with the terms and conditions applicable to the hypothecaters.

16. *Repeal and saving.*—The following Orders shall stand repealed except as in respects of things done or omitted to be done under Order so repealed.

(i) The Goa, Daman and Diu Sugar Dealers Licensing Order, 1963.

(ii) The Goa, Daman and Diu Foodgrains Dealers Licensing Order, 1964.

(iii) The Goa, Daman and Diu Foodgrains Retail Dealers Licensing Order, 1964.

(iv) The Goa, Daman and Diu Vanaspati Dealers Licensing Order, 1968.

2. Every licence issued under the repealed order shall be valid upto 31st December, 1979 or till the expiry of the period of such licences whichever is earlier and provision of this Order shall apply to such licences as if they are issued under this Order.

3. The persons desirous of renewing licences under the repealed orders may apply in form 'A' to the Licensing Authority on 31st December, 1979 or 30 days before the expiry of the period of licence whichever is earlier.

SCHEDULE-I

(See Clause (2) (f))

(See Clause 6(1) and 10(2) of the Goa, Daman and Diu

1. Wheat	12. Lobia
2. Paddy (rice with husk)	13. Raj-Maha
3. Rice (paddy without husk)	14. Any other dal
4. Jowar	15. Barley
5. Bajra	16. Minor Millers (e.g. Raj and Rodo)
6. Maize	17. Gram
7. Toordal	18. Milo
8. Massor	19. Sorghum
9. Arhar	20. Sugar
10. Urd	21. Edible oils including hydrogenated vegetable oils
11. Moong	22. Edible oil seeds including groundnut in shell.

SCHEDULE-II

(See Clause 4)

	Category of Cities	Stock limits in Qtls. in the case of		Remarks
		Wholesaler	Retailer	
i) Pulses	Category 'C' Cities	500	30	All pulses taken together
ii) Edible oilseeds including groundnut in shell	Category 'C' Cities	500	50	1. All edible oilseeds taken together 2. For groundnut kernel or seed 75% of the limits specified shall apply.
iii) Edible oils including hydrogenated vegetable oils	— do —	350	10	All edible oils including hydrogenated vegetable oils.
iv) Vacuum Pan Sugar	In other towns with a population of less than one lakh	250	—	—

FORM 'A'

(See Clauses 6(1) and 10(2) of the Goa, Daman and Diu Foodstuffs Dealers Licensing Order, 1979)

Application for grant/renewal of wholesale/retail licence

1. Applicant's name

2. Applicant's profession

3. Applicant's address

4. Situation of applicant's place of business with particulars as to the number of the house, mohalla town or village, police station and district.

5. How long has the applicant been trading in foodstuffs?

6. Quantities of foodstuffs handled during the last 3 years.

7. Quantities of foodstuffs likely to be handled during the current year.
8. Income tax paid in two years proceeding the year of the application (to be indicated separately).
9. (1)
(2)
9. (a) Quantity of foodstuffs in possession of the applicant on the date of application (separate figures are to be given for each variety of foodstuffs).
- (b) Complete address of the place/places where foodstuffs are proposed to be stored.

I declare that the quantities of foodstuffs specified above are in possession on this day and are held at places noted above.

I have carefully read the clauses of the Goa, Daman and Diu Foodstuffs Dealers Licensing Order, 19... as well as the conditions given in Form 'B' appended to the above Order and I agree to abide by them.

I also declare that the above information is true to the best of my knowledge and belief.

I hereby apply for grant/renewal of licence No. ... dated ... issued to me on ...

Place

Date

Signature of the applicant

FORM 'B'

(See Clause 6(3) of)

The Goa, Daman and Diu Foodstuffs Dealers Licensing Order, 1979

Licence for purchase, sale/storage for sale of Foodstuff in wholesale/retail.

Licence No. ...

1. Subject to the provisions of the Goa, Daman and Diu Foodstuffs Dealers Licensing Order, 1979 and to the terms and conditions of this licence Shri/Smt./M/s. (hereinafter called the licensee is/are hereby authorised to purchase, sell or store for sale, the undermentioned varieties of foodstuffs).

- | | |
|-----|-----|
| 1. | 12. |
| 2. | 13. |
| 3. | 14. |
| 4. | 15. |
| 5. | 16. |
| 6. | 17. |
| 7. | 18. |
| 8. | 19. |
| 9. | 20. |
| 10. | 21. |
| 11. | 22. |

2(a) The licensees shall carry on the aforesaid business at the following place:

(b) Foodstuffs in which the aforesaid business is to be carried on shall not be stored at any place other than any of the godown mentioned below:

Note: — If the licensee intends storing foodstuffs in places other than those specified above, he shall give prior intimation thereof and shall produce the licence for making requisite changes by the Licensing Authority. If the licensee in some cases finds it difficult to give prior intimation, it shall be given within 48 hrs. of actual occupation of godowns at places other than specified in the licence.

3(1) The licensee shall, except when specifically exempted by the Government or by the Licensing Authority in this behalf, maintain a register of daily accounts for each variety of foodstuffs mentioned in the paragraph 1, showing correctly.

(a) The opening stock on each day;

(b) The quantities received on each day showing the place from where and the source from which received;

(c) The quantities delivered or otherwise removed on each day showing the places of destination; and

(d) The closing stock on each day.

(ii) The licensee shall complete his accounts for each day on the day to which they relate, unless prevented by reasonable cause, the burden of proving which shall be upon him.

(iii) A licensee who is a producer himself shall separately show the stocks of his own produce in the daily account if such stocks are stored in his business premises.

4. The licensee shall except when specially exempted by the Government or by any officer authorised by the Government in this behalf, submit to the Licensing Authority concerned or to any officer designated by that authority, a true return in Form D, of the stocks, receipts and deliveries of each variety of foodstuffs every fortnight so as to reach him within five days after the close of the fortnight to which it relates.

5. The licensee shall not contravene any of the provisions of the Goa, Daman and Diu Foodstuffs Dealers Licensing Order, 1979 or any other Order relating to foodstuffs issued under the Essential Commodities Act, 1955 (Central Act 10 of 1955).

6. The licensee shall not contravene the provisions of any law relating to foodstuffs for the time being in force.

7. The licensee shall note —

(i) enter into any transaction involving purchase, sale or storage for sale of foodstuffs in a speculative manner prejudicial to the maintenance and easy availability of supplies foodstuffs in the Market;

(ii) withhold from sale supplies of foodstuffs ordinarily kept for sale; or

(iii) sell or offer to sell any foodstuffs at a price exceeding the margin of profit prescribed by the Government. However, when the prices are fixed by the manufacturer or the Central Government or by the Government as the case may be, such foodstuffs shall be sold at prices not exceeding the prices so fixed.

8. The licensee shall exhibit at the entrance or some other prominent place of his business premises, the price list of foodstuffs held by him for sale. Such price list shall be legibly written in the principal language of the locality concerned. It shall indicate separately the prices of different varieties of foodstuffs.

9.1 The licensee if he is a wholesaler sell foodgrains to wholesaler/retailers (including himself if he also sells in retail) entering their names in the register and in accordance with such directions as the Licensing Authority or any officer authorised by the authority in this behalf, may give from time to time. The register shall be in Form 'C'.

(2) A licensed wholesaler is permitted to sell/purchase foodgrains to or from another licensed wholesaler within the State. Provided that for all wholesale transactions the margin of profit shall not exceed the rate prevailing at the time.

(3) The licensee if he is a wholesaler is allowed to sell at wholesale rate direct to consumers a bag or more in bulk subject to the condition that a separate register like that of retailers should be kept.

10. The licensee shall, issue to every customer/retailer a correct receipt or invoice, as the case may be, giving his own name, address and licence number, the name, address and licence number, (if any) of the customer/retailer, the date of transaction, the quantity sold, the price per kg. or per pack and the total amount charged and shall keep a duplicate of the same to be available for inspection on demand by the Licensing Authority or any officer authorised by it in this behalf.

11. The licensee shall give all facilities at all reasonable time to the Licensing Authority or any officer authorised by it or the Government for the inspection of his stocks and accounts at any shop, godown or other place used by him for the storage, sale or purchase of foodstuffs and for taking of samples of foodstuffs for examination.

jurisdiction, and in any other case by such body as may be recognised by the Government in this behalf.

15. This licence shall be valid upto 31st December, 19...

Date ...

...

...

Form of Stock Register

Particulars of varieties	Date	Stock in hand opening balance	Stock received	Source from where received	Total Cols. 3 & 4	Stock delivered sold	Balance
1.	2.	3.	4.	5.	6.	7.	8.

Form of Fortnightly Return

Dealers' Licensing Order, 1979)

For the period from ... to ...

Particular of varieties	Stock in hand opening balance in			Stocks received in			Total Cols. 2 & 3 in			Stock delivered sold in			Balance (Col. 4 & 6)		
	Qts.	Kgs.	Grams	Qts.	Kgs.	Grams	Qts.	Kgs.	Grams	Qts.	Kgs.	Grams	Qts.	Kgs.	Grams
1.	2.			3.			4.			5.			6.		

(See Clause 3 of the Goa, Daman and Diu Foodstuffs Dealers Licensing Order, 1979)

1. Dealer's Name ...
2. Dealer's profession
3. Dealer's address...

I declare that I am dealing/started to deal in the following foodstuffs on ..., in my establishment situated at ... House No. ... and my stocks will not exceed at a time, the limits fixed under sub-clause (3) of clause 3 of the Goa, Daman and Diu Foodstuffs Dealers Licensing Order, 1979.

I also undertake that I will not store for sale at a time foodstuffs exceeding the prescribed limits without obtaining the required licence for the purpose.

Place: —

Date: —

Name of the dealer

By order and in the name of the Lt. Governor
of Goa, Daman and Diu.

N. D. Vengurlekar, Under Secretary (Revenue).

Panaji, 12th February, 1980.

1. ...	12. ...
2. ...	13. ...
3. ...	14. ...
4. ...	15. ...
5. ...	16. ...
6. ...	17. ...
7. ...	18. ...
8. ...	19. ...
9. ...	20. ...
10. ...	21. ...
11. ...	22. ...

GOVERNMENT OF INDIA

MINISTRY OF AGRICULTURE & IRRIGATION

(Department of Food)

New Delhi, dt. 19-7-1979.

Order

G. S. R. 449(E)/Ess.Com./Sugar. — In exercise of the powers conferred by clause 5 of the Sugar

(Control) Order, 1966, and in supersession of the Order of the Government of India, in the Ministry of Agriculture and Irrigation (Department of Food) No. G. S. R. 28(E)/Ess.Com./Sugar, dated the 16th January, 1979 the Central Government hereby directs that —

(i) no recognised dealers in the places mentioned below shall keep in stock at any time vacuum pan sugar in excess of the quantities mentioned against each —

(1) in Calcutta and extended area —

(a) recognised dealers who import sugar from outside West Bengal 7,500 quintals;

(b) other recognised dealers 1,500 quintals.

(2) in other places —

(a) in cities and towns with a population of five lakhs or more 1,500 quintals;

(b) in cities and towns with a population of one lakh and more, but less than five lakhs, 750 quintals;

(c) in other towns with a population of less than one lakh 375 quintals.

Provided that nothing in this Order shall apply to the holding of stocks of sugar —

i) on Government account; or

ii) by the recognised dealers nominated by a State Government or an officer authorised by it to hold such stock for distribution through fair price shops; or

iii) by the Food Corporation of India.

Explanation. — For the purpose of this Order, 'Calcutta and Extended Area' means the areas specified in the Schedule to the notification of the Government of West Bengal No. 7752 F.S./F.S./14.R 92/61, dated the 16th December, 1964.

ii) no recognised dealer shall keep in stock at any time *khandsari* (open pan sugar) in excess of two thousand five hundred quintals.

Sd/-

C. N. RAGHAVAN
Joint Secretary.

New Delhi, the 6th September, 1979

Order

G. S. R. 531 (E)/Ess. Com./Sugar. — In exercise of the powers conferred by clause 5 of the Sugar (Control) Order, 1966, and in supersession of the Order of the Government of India in Ministry of Agriculture and Irrigation (Department of Food) No. G.S.R.449(E)/Ess.Com./Sugar, dated the 19th July, 1979, the Central Government hereby directs that, —

(I) no recognised dealers in the place mentioned below shall keep in stock at any time vacuum pan sugar in excess of the quantities mentioned against each, —

(1) in Calcutta and extended areas —

(a) recognised dealers who import sugar from outside West Bengal — 7,500 quintals,

(b) other recognised dealers — 1,000 quintals,

(2) in other places —

(a) in cities and towns with a population of five lakhs or more — 1,000 quintals;

(b) in cities and towns with a population of one lakh and more, but less than five lakhs — 500 quintals;

(c) in other towns with a population of less than one lakh — 250 quintals;

Provided that nothing in this Order shall apply to the holding of stocks of sugar —

(i) on Government account; or

(ii) by the recognised dealers nominated by a State Government or an officer authorised by it to hold such stock for distribution through fair price shops; or

(iii) by the Food Corporation of India.

Explanation. — For the purpose of this Order, "Calcutta and extended area" means the areas specified in the schedule to the notification of the Government of West Bengal No. 7752 F.S./F.S./14 R.92/61, dated the 16th December, 1964;

(II) no recognised dealer shall keep in stock at any time *khandsari* (open pan sugar) in excess of one thousand quintals.

[No. 1-23/79-SPY (Desk-II)]

Sd/-

C. N. RAGHAVAN
Joint Secretary.

Industries and Labour Department

Notification

2-194-78-IPD

In exercise of the powers conferred by Section 23 read with Section 51A of the Indian Electricity Act, 1910 (Central Act 9 of 1910), the Lieutenant Governor of Goa, Daman and Diu makes the following amendment in the Government Notification No. 2-194-78-IPD, dated 27th December, 1978, published in the Official Gazette Series I, No. 39, dated 28-12-1978 (hereinafter called the Principal Notification) namely: —

In item 4 of the Principal Notification: —

(i) For clause (d), the following be substituted, namely: —

"(d) All factory lighting consumption shall be charged at 48 paise per KWH".

(ii) The existing clause (e) shall be deleted.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

M. S. Sail, Under Secretary (Industries and Labour).

Panaji, 23rd February, 1980.

Law Department (Legal Advice)

Notification

6/17/79-Legal

The following draft of rules which the Government of Goa, Daman and Diu proposes to make in exercise of the powers conferred by sub-section (1) of section 21 of the Societies Registration Act, 1860 (Central Act 21 of 1860), in its application to the Union territory of Goa, Daman and Diu, is hereby republished as required by that sub-section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration on or after the expiry of a period of fifteen days from the date of publication of this Notification in the Official Gazette

All objections or suggestions to the draft rules may be forwarded to the Under Secretary to the Government of Goa, Daman and Diu, Law Department, Secretariat, Panaji, before the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

DRAFT RULES

In exercise of the powers conferred by sub-section (1) of section 21 of the Societies Registration Act, 1860 (Central Act 21 of 1860), in its application to the Union territory of Goa, Daman and Diu, and all other powers enabling it in that behalf, the Government of Goa, Daman and Diu hereby makes the following rules, namely:—

1. *Short title, extent and commencement.*—(1) These rules may be called the Societies Registration (Goa, Daman and Diu) Rules, 1980.

(2) They extend to the whole of the Union territory of Goa, Daman and Diu.

(3) They shall come into force on the date of their publication in the Official Gazette.

Definitions.—In these rules, unless the context otherwise requires,—

(a) "Act" means the Societies Registration Act, 1860 (Central Act 21 of 1860);

(b) "Form" means a 'Form' appended to these rules;

(c) "Government" means the Government of Goa, Daman and Diu;

(d) "Schedule" means a Schedule appended to these rules;

(e) "Section" means a section of the Act;

(f) Words and expressions but not defined in these rules shall have the same meanings as assigned to them in the Act.

3. *Areas and their limits.*—The areas for purpose of the Act shall be Goa, Daman and Diu.

4. *Memorandum of Association to be filed under section 2.*—(1) The memorandum of association of a society may contain the following declarations, namely:—

"We, the following persons, being desirous of forming ourselves into a society under the Societies

Registration Act, 1860, have subscribed our names to this Memorandum."

(2) Such declaration shall be dated and signed by any seven or more persons associated with the society.

5. *Mode of payment of fees under section 3.*—The fee to be paid to the Inspector General under section 3 for the registration of a society shall accompany the memorandum of association and it shall be paid in Government Treasury by challan.

6. *Certificate of registration under section 3.*—Where a society is registered under the Act, a certificate in Form 1 shall be issued in token of such registration. Such certificate shall be signed by the Inspector General and shall bear his official seal, if any.

7. *Annual list of Managing body under section 4.*—The Secretary of the society or such other person as may be authorised by the society in this behalf shall forward the annual list of the persons referred to in section 4 to the Inspector General in the form of a Statement in Schedule I.

8. *Information or returns from governing body of society under section 4A.*—The Secretary or such other person as may be authorised by the society in this behalf, shall furnish the information or returns relating to persons employed by the society by registered post to the Inspector General or file it or them in person in the Office of the Inspector General, in the form of a Statement in Schedule II.

9. *Maintenance of accounts under section 12C.*—(1) Every governing body entrusted with the Management of the affairs of a society shall keep regular accounts of all receipts and payments and movable and immovable property and of all encumbrances created on the property of the society and of all alienations made and loans taken or advanced on behalf of the society. The accounts shall contain all such particulars as in the opinion of the Inspector General shall facilitate preparation of the balance sheet and income and expenditure account in the form in Schedules III and IV.

(2) The Governing body of a society shall get the accounts audited annually in the manner prescribed in rule 11:—

(i) In the case of a society having a gross annual income of more than Rs. 5,000, by a Chartered Accountant;

(ii) in the case of a society having gross annual income of Rs. 5,000 or less, by a Chartered Accountant or a person authorised by the Government under sub-section (4) of section 12C.

10. *Audit.*—For the purpose of audit under sub-section (4) of section 12C, the Inspector General may either on his own motion or at the request of the auditor:—

(a) require the production before the auditor, of any book, deed, account, voucher or other document including certified copies of the memorandum of association and rules and regulations of the society or record necessary for the proper conduct of the audit;

(b) require the governing body or any person having the custody or control of, or accountable for any such book, deed, account, voucher or other document or record to appear in person before the auditor;

(c) require the governing body or any such person to give the auditor such information as may be necessary for the aforesaid purpose;

(d) require the governing body or any person having the custody or control of, or accountable for, any movable property belonging to the society to produce such property for inspection of the auditor or to give the auditor such information as may be necessary regarding the same.

11. *Manner of audit.*—(1) The report of an auditor relating to accounts audited under sub-section (4) of section 12-C, shall, in addition to the requirements of sub-section (2) of section 12-D, contain the following particulars, namely:—

(a) whether the accounts are maintained regularly, and in accordance with the provisions of Act and these rules;

(b) whether receipts and disbursements are properly and correctly shown in accounts;

(c) whether the cash balance and vouchers in the custody of the secretary, treasurer or accountant or any other person of the society on the date of audit were in agreement with the accounts;

(d) whether all books, deeds, accounts, vouchers or other documents or records required by the auditor were produced before him;

(e) whether an inventory, certified by the Secretary of the movables of the society has been maintained;

(f) whether the secretary, treasurer or accountant or any other person required by the auditor to appear before him, did so and furnished the necessary information required by the auditor;

(g) whether any property or funds of the society were applied for any object or purpose other than the object or purpose of the society;

(h) the amounts outstanding for more than one year and the amounts written off, if any;

(i) whether all expenditure incurred on behalf of the society has been sanctioned from time to time by the governing body or any other person or persons authorised to do so under the rules and regulations of the society;

(j) whether tenders were invited for repairs or construction involving expenditure exceeding Rs. 5,000;

(k) whether minutes of the meeting of the general body, governing body and other bodies or committees, if any, are maintained regularly and properly;

(l) whether list of members is maintained and is kept up-to-date.

(m) the name and address of the present secretary to the society with whom the communication is to be made;

(n) if the rules of the society prescribe any mode of investment of the money of the society; and whether the investment is as per such rules;

(o) any special matter, the auditor may think fit or necessary to bring to the notice of the Inspector General.

(2) The balance sheet and income and expenditure account required under sub-section (1) of section 12-D to be prepared by the auditor or any person authorised in this behalf and forwarded by him to the Inspector General shall be in the form of Schedules III and IV, respectively.

12. *Time limit for audit and submission of the audit report etc., under section 12-D.*—(1) The governing body shall get the accounts audited within six months of the date of balancing the accounts under sub-section (3) of section 12-C and the auditor shall forward a copy of the balance sheet and the income and expenditure account along with his audit report to the Inspector General within a fortnight of the completion of the audit or such further time as the Inspector General may grant in this behalf.

(2) In the office of the Inspector General there shall be maintained a register of such audit reports received under sub-rule (1) in the form of Schedule V.

13. *Inspection of documents.*—(1) Subject to the conditions hereinafter specified, the Inspector General shall, on application by any person having interest or permitted in this behalf by the Inspector General, allow inspection of any statement, notice, intimation, account, audit report or any other document filed under the Act not being those documents filed under section 4-A.

(2) The application shall specify the particulars of the documents, and contain such information as may be necessary for identifying the documents

(3) Such inspection shall be allowed during office hours only, subject to such supervision as the Inspector General may in each case direct.

14. *Grant of copies of documents.*—(1) On payment of the fees herein specified, the Inspector General or an officer authorised by him in this behalf shall, on application by any person having interest or any other person permitted by the Inspector General or officer authorised by him in this behalf furnish him with certified copies under his hand of the following documents, not being documents filed under section 4-A of the Act:—

(a) any statement, notice, intimation, account, audit report, or any other document filed under the Act;

(b) any certificate issued by the Inspector General.

(2) The fees for the supply of certified copies shall be:—

(a) 25 paise, for every 100 words or fraction thereof as copying fee;

(b) 10 paise, for every 100 words or fraction thereof as comparing fee;

(c) 5 paise for every sheet of fullsize paper used in preparing a copy or copies asked for;

(d) in the case of a document in the tabular form twice the rate of fee fixed for copying and comparing;

Provided that, where a copy of any document is required within a period of twenty-four hours,

but not exceeding forty-eight hours, there shall be paid an additional fee equal to 50 per cent, of the fee prescribed for copying and comparing.

(3) Where different persons apply for a single copy of the same document, the Inspector General shall supply each of them an original and not a carbon copy at full rates. But if one person applies for more than one copy, he shall, on request, be given carbon copies (in addition to the original copy at the full rate) upto a maximum of five and shall be charged one-fourth of the full copying and comparing fees with a minimum of twenty-five paise and fifteen paise respectively, per copy. Paper charges will be the same for both the original and carbon copies.

15. *Maintenance of list of members.*— Every governing body of society registered under the Act shall maintain a list of members within the meaning of section 15 in the form of Schedule VI.

FORM I

"CERTIFICATE OF REGISTRATION"

(See rule 6)

(The Societies Registration Act, 1860)

(Central Act 21 of 1860)

Registered No.

It is certified that ... has this day been duly registered under the Societies Registration Act, 1860 (Central Act 21 of 1860).

Given under my hand this day of ... 198 ...
Seal.

Inspector General
— Area

SCHEDULE I

(See rule 7)

Statement of annual list of persons referred to in section 4 of Societies Registration Act, 1860

Name and address of the society ...

Registration No. under the Societies Registration Act, 1860.

Date of election and period for which elected.

Period for which the list is filed ...

Sr. No.	Name	Address	Occupation	Age	(Designation)	Remarks
1	2	3	4	5	6	7

Note:— A copy of resolution of the general body electing the members shall accompany this statement.

Date

Signature

(Name and designation of the Signatory)

SCHEDULE II

(See rule 8)

Statement relating to persons employed by the society their conditions of employment etc. during the year ending 31st December, 198...

Name and address of the society: —

Registration No. under the Societies Registration Act, 1860 —

Serial No.	Name and designation of the employee	Present pay scale	Whether temporary or permanent, and whether full time or part time	Present pay per month	Dearness Allowance per month	Special pay, if any	Other allowances, if any (House rent, medical, conveyance etc.)	Provident fund benefits, if any	Other benefits and amenities provided by the society, if any	Remarks
1	2	3	4	5	6	7	8	9	10	11

Signature

Name and Address of the Signatory.

SCHEDULE III

[See rules 9(1) and 11(2)]

Name and address of the Society:—

Registration No. under the Societies Registration Act, 1860

Balance sheet as at

Corpus	Funds and Liabilities		Property and Assets			
					Immovable properties	
	Current year	Previous year	Current year	Previous year	Current year	Previous year
	Rs.	P.	Rs.	P.	Rs.	P.
1	2	3	4	5	6	

Balance as per last balance sheet

(Suitably classified giving mode of valuation).

Adjustment during the year (with details).

Balance as per last balance sheet, additions or deductions (including those of depreciations) if any, during the year.

Other earmarked funds

Depreciation Fund

Sinking Fund

Reserve Fund

Any other Fund or Funds (with details)

Loans (Secured or Unsecured).

From Members:

From Others:

Liabilities:—
For expenses

For Advances

For rent and other deposits.

For Sundry credit balances.

Investments.

(Suitably classified giving mode of valuation)*.

Balance as per last Balance Sheet.

Additions or deductions, if any, during the year.

Furniture and Fixtures:—

Balance as per last Balance sheet.

Additions or deductions (including those of depreciations) if any, during the year.

Loans (secured and unsecured).
Good, Doubtful
Loans Scholarships.Other Loans:
Advances:
To Members
To employees
To Contractors
To Others.Income Outstanding
Rent
Interest
Subscriptions

Fees

Other Income
Cash and Bank
Balances.

1 2 3 4 5 6

(a) In current account for fixed deposit account with (give names of, and state in whose name the account stands).

(b) With the members (give names).

(b) With others (give names).

Total—Rs. Total Rs.

The above balance sheet to the best of my/our belief contains a true account of the funds and liabilities and of the property and assets of the society.

As per our report of even date.

Dated: Full name and address of the Chartered Accountants/Auditors
SignatureSignature
Chartered Accountants/Auditors

Full name and address of the signatory.

*1. Market value as on the date of the balance should also be given by way of a note.

2. Particulars of investments in concerns in which the members are interested shall be given separately by way of a note.

3. In case the accounts are maintained on cash basis, state the income outstanding here below:—

SCHEDULE IV

(See Rule 9(1))

Name and address of the society:—

Registered No. of the Society under the Societies Registration Act, 1860:—

Income and Expenditure Account for the year ending 19

Expenditure	Current year	Previous year	Income	Current year	Previous year
1	2	3	4	5	6

To expenses in respect of properties

By rent accrued realised.

By interest

Rates, Taxes, cesses Repairs and maintenance

accrued * realised.

Salaries

(a) On securities

Insurance

(b) On loans

Depreciation (by way of provisions or adjustments).

(c) On Account

To Establishment Expenses.

By dividends.

To remuneration to office bearers.

By donations in Cash or Kind.

To legal Expenses

By grants:—

To Audit Fees.

By fees
By subscriptions

By income from other sources (give details as far as possible).

1	2	3	4	5	6
To amount written off —					
(a) Bad debts					
(b) Loan Scholarships.					
(c) Irrecoverable rents.					
(d) Subscriptions and fees.					
(e) Other items					
Miscellaneous Expenses.			By transfers from reserves		
To Depreciation.			By deficit carried over to balance sheets		
To amounts transferred to reserve or specific funds					
To expenditure on objects of the society.					
To surplus carried over to balance sheet.					
Total Rs.			Total Rs.		
* Strike off whichever is not applicable.					

Date: —
Place: —
Signature: —

As per our report of even date
Signature: —
Chartered Accounts/Auditors

Full Name and address of the signatory.

Full name and address of the Auditors.

SCHEDULE V

[(See rule 12(2))]

Register of Audit Report

Registered No. and Name of the Society.

Year under audit	Date of Receipt	Name of Auditor	Remarks
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SCHEDULE VI

(See rule 15)

List of Members to be maintained by the governing body of a society

Name and address of the society: —
Registration No. of the Society under the

Societies Registration Act, 1860: —

Serial No.	Name and address of the member	Date of admission	Signature of the member	Remarks
1	2	3	4	5

By order and in the name of the Administrator of Goa, Daman and Diu.

B. S. Subbanna, Under Secretary (Law).

Panaji, 20th February, 1980.

Notification

LD/633/80

The following Notification received from the Government of India, Ministry of Agriculture and Irrigation Department of Agriculture and Cooperation New Delhi is hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 22nd February, 1980.

MINISTRY OF AGRICULTURE AND IRRIGATION
(Department of Agriculture and Cooperation)

New Delhi, the 16th November, 1979

Order

G.S.R. 627(E). — In pursuance of clause 13 A of the Fertiliser (Control) Order, 1957, the Central Government hereby directs, with immediate effect, that notwithstanding anything contained in sub-paragraph (i) of paragraph (b) of sub-clause (1) of clause 13 of the said order: —

- (i) Urea manufactured in the States of Haryana and Punjab, and
- (ii) Calcium Ammonium Nitrate manufactured in the State of Punjab;

may also be sold in bulk to farmers in those States by the manufacturers of Urea and Calcium Ammonium Nitrate:

Provided that, a certificate indicating the minimum guaranteed percentage by weight of plant nutrients is issued by the manufacturers to each farmer at the time of selling.

2. This Order shall remain in force till the 31st January, 1981.

(No. 10-13/78-STU)
A. J. S. SODHI, Jt. Secy.

Law Department (Establishment)

Notification

LD/JCC/2668/78-79

Sanction is hereby accorded for the continuance of the temporary post of Civil Judge Senior Division for the Court of Ponda in the time scale of pay Rs. 1100-50-1600 created vide Notification No. LD/JCC/2669/78-79 dated 16-2-1979 for a further period of one year with effect from 19-2-1980.

The post of Civil Judge Junior Division at Ponda shall remain in abeyance until further orders.

The expenditure is debitable to the Budget Head "214 Administration of Justice B-Civil and Sessions Court, B-1 Civil Judges, B1(1) Salaries".

By order and in the name of the Administrator of Goa, Daman and Diu.

B. S. Subbanna, Under Secretary (Law).

Panaji, 19th February, 1980.

Corrigendum

In the Schedule to the Recruitment Rules of Office of Commissioner of Labour and Employment published in the Official Gazette Series I No. 43 dated 24-1-80 at page 390 at the end of column 11 the "period of deputation" should be corrected to read as "(Period of deputation shall not exceed 3 years)."

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